

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:94-CR-111**

UNITED STATES OF AMERICA)	
)	
v.)	
)	<u>ORDER</u>
JERRY ALLEN BAILEY)	
)	

THIS MATTER IS BEFORE THE COURT on its own motion. On June 1, 2009, defendant Jerry Allen Bailey filed a Reply to Government's Response.

IT IS HEREBY ORDERED that the Government shall respond to defendant's reply. The Government is also directed to address specifically their position on the defendant's criminal history category and offense level. **IT IS FURTHER ORDERED** that the Government's response shall be filed with this court by **July 13, 2009**.

IT IS SO ORDERED.

Leave of Court is hereby granted for the dismissal of Counts One and Two of the Bill of Indictment in the above-captioned case with prejudice.

The Clerk is directed to certify copies of this Order to the U.S. Probation Office, U.S. Marshal Service and the United States Attorney's Office.

It is so ordered.

Signed: June 30, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

